

CHAPTER XCIV.

March 6, 1868.

An Act to amend chapter forty-nine (49), of the General Statutes, relating to probate courts, and to repeal a portion thereof.

- SECTION 1. Amendment to Section 2, Chapter 49, General Statutes. Jurisdiction of Probate Court.
2. Amendment to Section 8, Chapter 49, General Statutes. Book of record to be kept by Judge of Probate—what to contain.
3. Repeal of former section.
4. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section two (2), of chapter forty-nine (49), of the general statutes be amended so as to read as follows:

Jurisdiction of Probate Court.

Sec. 2. The several probate courts have exclusive jurisdiction, in the first instance, in their respective counties, to take proof of wills and to direct the administration of the estates of deceased persons.

First—When the deceased, at or immediately before his death, was an inhabitant of the county, in whatever place he dies.

Second—When the deceased not being an inhabitant of this state—dies in the county, leaving assets therein.

Third—When the deceased not being an inhabitant of this state, dies out of this state, leaving assets in the county.

Fourth—When the deceased not being a resident of this state, dies out of this state not having assets herein, but when assets thereafter come into the county.

Fifth—When real property of the deceased is situated in the county, and no other probate court has gained jurisdiction under either of the preceding subdivisions of this section.

SEC. 2. That section eight (8), of said chapter be amended so as to read as follows :

Sec. 8. He shall keep—

First—A register, in which shall be entered a memorandum of all official business transacted by him or in his office appertaining to the estate of each deceased person, under the name of such person ; that pertaining to the general guardian of an infant, under the name of such infant ; that pertaining to an insane person or spendthrift under his name.

To keep book of record—what to contain.

Second—A record of wills, in which shall be recorded all wills proven before him, with the certificate of the probate thereof ; and of all wills proven, also when, upon which letters of administration as issued by him.

Third—A record of letters, testimony, and of administration and guardianship, in which shall be recorded all letters, testimony, and of administration and guardianship issued by him.

Fourth—A record of orders, in which shall be recorded all orders made by him in the discharge of his duties, a summary balance sheet of the accounts of administrators, executors and guardians allowed by him, the reports of admeasures of dower, and the report of commissioners on the distribution of estates, also a memorandum of executions issued, and a note of satisfaction when satisfied.

SEC. 3. That section nine (9), of said chapter is hereby repealed.

Repeal of former section.

SEC. 4. This act shall take effect and be in force from and after its passage.

When act to take effect

Approved March 6, 1868.